

LABEL, IN PART: "Oregon Hills Brand Pure Mountain Wild Blackberry Jelly
* * * Made by Allan and Allan Dickinson Oswego, Ore."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a product containing less than 65 percent soluble solids had been substituted for blackberry jelly, which the product was represented to be.

Misbranding, Section 403 (g) (1), the product failed to conform to the definition and standard of identity for blackberry jelly since the soluble-solids content of the product was less than 65 percent.

DISPOSITION: April 3, 1953. Default decree of condemnation. The court ordered that the product be delivered to a hospital for its use.

20171. Adulteration of frozen strawberry juice. U. S. v. 1,879 Cans * * * (and 1 other seizure action). (F. D. C. Nos. 34057, 34096. Sample Nos. 36459-L, 36700-L, 36701-L.)

LIBELS FILED: October 30 and November 3, 1952, Southern District of Indiana and Eastern District of New York.

ALLEGED SHIPMENT: On or about June 10 and July 3, 1952, by Driscoll Strawberries, Inc., from San Martin, Calif.

PRODUCT: 3,868 25-pound cans of frozen strawberry juice at Indianapolis, Ind., and Brooklyn, N. Y.

LABEL, IN PART: "Driscoll Brand Frozen Strawberry Juice."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed strawberry material and by reason of its manufacture from rotten strawberries.

DISPOSITION: March 27 and 30, 1953. The libel actions having been removed to the Southern District of California for trial and Driscoll Strawberries, Inc., claimant, having subsequently been permitted to withdraw its claim on condition that it pay all costs of the actions, judgments of condemnation were entered and the court ordered that the product be destroyed.

20172. Adulteration of plum pudding. U. S. v. 49 Cases * * *. (F. D. C. No. 34447. Sample No. 66914-L.)

LIBEL FILED: December 29, 1952, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about September 19, 1952, by Richardson & Robbins, from Dover, Del.

PRODUCT: 49 cases, each containing 12 cans, of plum pudding at Philadelphia, Pa.

LABEL, IN PART: (Can) "Richardson & Robbins Contents One Pound R & R Plum Pudding."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

DISPOSITION: February 16, 1953. Default decree of condemnation and destruction.

VEGETABLES

20173. Misbranding of canned cut green beans. U. S. v. 109 Cases * * *. (F. D. C. No. 34565. Sample Nos. 40750-L, 40754-L.)

LIBEL FILED: January 27, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about January 11, 1952, by Kolstad Canneries, Inc., from Silverton, Oreg.

PRODUCT: 109 cases, each containing 6 6-pound, 5-ounce cans, of cut green beans at Seattle, Wash.

LABEL, IN PART: (Can) "Valley Brand Blue Lake Variety [or "Stringless Blue Lake Variety"] Cut Green Beans."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the article fell below the standard of quality for canned cut green beans since there were present in the article pods or pieces of pods $\frac{27}{64}$ inch or more in diameter and since the article contained an excessive number of tough strings, and the label failed to bear a statement that the article fell below such standard.

DISPOSITION: April 14, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Department of Health, Education, and Welfare.

20174. Misbranding of canned peas. U. S. v. 26 Cases * * *. (F. D. C. No. 34629. Sample No. 66947-L.)

LABEL FILED: January 27, 1953, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 5, 1952, from Milton, Oreg.

PRODUCT: 26 cases, each containing 48 cans, of peas at Philadelphia, Pa., in the possession of Meyer Mittleman.

RESULTS OF INVESTIGATION: While in transit, the peas became sweat damaged. These damaged peas were sold to Meyer Mittleman at Philadelphia, Pa., who relabeled the peas as appears below.

LABEL, IN PART: (Can) "Wisconsin Peas Content 8 Oz. Arlington Canning Company Arlington Wisconsin Sweet Variety."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "Wisconsin Peas" and "Arlington Canning Company Arlington Wisconsin" were false and misleading since the product was Oregon peas packed by Rogers Canning Co., Milton, Oreg. The product was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: February 26, 1953. Default decree of condemnation and destruction.

20175. Adulteration of dried green split peas. U. S. v. 45 Bags * * *. (F. D. C. No. 34463. Sample No. 59140-L.)

LABEL FILED: January 5, 1953, Southern District of Florida.

ALLEGED SHIPMENT: On or about January 30, 1951, from North Kansas City, Mo.

PRODUCT: 45 100-pound bags of dried green split peas at Tampa, Fla.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of weevils. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 27, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution, for use as animal feed.